

MINUTES
ENOCH CITY COUNCIL
June 7, 2017 at 6:00pm
City Council Chambers
City Offices, 900 E. Midvalley Road

Members present:

Mayor Geoffrey Chesnut
Council Member David Harris
Council Member Steve Johnson
Council Member Jolene Lee
Council Member Dave Owens
Council Member Shawn Stoor

Staff present:

Julie Watson, Recorder
Ashley Horton, Treasurer
Todd Sheeran, City Atty.
Robert Dotson, City Mgr.
Jackson Ames, PD Chief
Earl Gibson, Public Works

Public present: Michelle Pritchard, Dilworth Armstrong, Steve Woolsey, Russell Grimshaw, Stephen & Charadee Williams, Spencer Jones and Bob Tingey

1. CALL TO ORDER OF REGULAR COUNCIL MEETING-By Mayor Chesnut at 6:00pm. He welcomed the audience.

- a. **Pledge of Allegiance-**Led by Todd Sheeran
- b. **Invocation-**Audience invited to participate-Given by Council Member Harris
- c. **Inspirational thought-**Given by Mayor Chesnut
- d. **Approval of Agenda for June 7, 2017-**Council Member Harris made a motion to approve the agenda. Motion was seconded by Council Member Owens and all voted in favor.
- e. **Approval of Minutes for May 17, 2017-**Council Member Harris made a motion to approve the minutes. Motion was seconded by Council Member Lee and all voted in favor.
- f. **Conflict of Interest Declaration for this agenda-**none stated

2. PUBLIC HEARING ON 2017-2018 BUDGET

Council Member Harris made a motion to close the regular meeting go into the public hearing on the 2017-2018 budget. Motion was seconded by Council Member Owens and all voted in favor.

Mayor Chesnut invited public comments. There were no comments.

Council Member Harris made motion to close the public hearing and go back to the regular meeting. Motion was seconded by Council Member Owens and all voted in favor.

3. RESOLUTION NO. 2017-06-07 A RESOLUTION ADOPTING A CERTIFIED TAX RATE AND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30th, 2018

Mayor Chesnut asked for discussion. Council Member Stoor said as the City Council is aware there are unallocated funds in the parks impact fee fund of about \$28,000. We have wanted to build a pavilion at the Rec Complex and that would include volunteers and so he proposes we put that into this budget to use the \$28,000 to get that going. He gave more details of the planning. Volunteers will design the building on the SW corner of the complex. Mayor Chesnut said we do not need to include it right now. We could reopen budget when a proposal is brought to us with the details. Council Member Harris said the funds sit there until we have something concrete to work with. Council Member Stoor said they did not want to move forward unless they thought they had the money to do it. Council Member Harris said we can allocate and have parameters for them to work with. Council Member Johnson said they have to have City Council

approval to move on it anyway. Council Member Stoor said that is fair to get some designs first. They also have to work with the public works staff on this plan. The resolution tonight is for the budget we previously discussed. Council Member Lee said this has been planned for years but a lot of time has passed without financial support from the City. We want to send a positive affirmation to get them to get started on this. She would like to send a message to say we would like to earmark that money for the Rec Complex. Council Member Harris agreed with that when we get something concrete to look at. Council Member Johnson did not want to restrict our options. Council Member Lee said again this has been planned for a long time. Council Member Harris said we can always change our mind if something else came up with a greater need. Council Member Stoor said we could look at it when we get more concrete numbers together. City Manager Dotson said another adjustment we need to make is that we did not consider that the animal shelter will not be built by the end of June this year. We need to move those funds into this new budget starting on July 1st. We also included another \$10,000 for the shelter like we have done each year. City Manager Dotson said we will be opening the budget within the next few months to consider the updated CFP and impact fee analysis anyway. He told about the plans and the presentation that would be given on the updated CFP at the next Council meeting. There is a long noticing process on impact fees and they don't take effect until 90 days after passage of the ordinance.

Mayor Chesnut asked for a motion to increase the park development line and move animal shelter funds to this year. **Motion by Council Member Harris made a motion to adopt Resolution No. 2017-06-07, a resolution adopting a certified tax rate and budget for the fiscal year ending June 30th 2018 with changes as discussed. Motion was seconded by Council Member Stoor and a roll call vote was held as follows:**

Council Member Johnson-no	Council Member Harris-yes
Council Member Stoor-yes	Council Member Lee-yes
Council Member Owens-yes	Motion passed 4 to 1

4. APPOINT/REAPPOINT PLANNING COMMISSION MEMBERS

Mayor Chesnut asked Council Member Harris about this. He said one member has served for a long time and some appointments have expired. The new member will be Greg Peterson in place of John Horstdaniel who has served very faithfully for ten years. City Manager Dotson said we will have a presentation for him at the next meeting. Debra Ley served out Council Member Harris' term. **Council Member Owens made a motion to appoint Greg Peterson and reappoint Paul Hardy, Josh Killian and Debra Ley to two-year terms on the Planning Commission. Motion was seconded by Council Member Harris and all voted in favor.**

5. REAPPOINT WATER BOARD MEMBER

Larry Gardner is up for reappointment and has agreed to serve again. **Council Member Harris made a motion to reappoint Larry Gardner to the Water Board for a five-year term. Motion was seconded by Council Member Owens and all voted in favor.**

6. APPOINT CERT COORDINATORS

Council Member Owens said they are here tonight and he introduced Stephen and Cheradee Williams who will coordinate our CERT team. They have made a request to help us out and we will get going again and work with Iron County CERT. **Council Member Harris made a motion to appoint Stephen and Cheradee Williams to be the Enoch CERT coordinators. Motion was seconded by Council Member Johnson and all voted in favor.**

7. DISCUSS AND VOTE ON GRIMSHAW MINOR LOT SUBDIVISION

Steve Woolsey came up to say he represents the Grimshaws on this minor lot subdivision. It is located on California Trail and Homestead at that intersection and they are here tonight for approval. Mayor Chesnut said there was a favorable recommendation from the Planning Commission. They reviewed it and had a unanimous vote with no issues. Mayor Chesnut asked for a motion to approve the minor lot subdivision. **Council Member Johnson made a motion to approve the minor lot subdivision for Russell and Jessika Grimshaw. Motion was seconded by Council Member Harris and all voted in favor.**

8. DISCUSS AND VOTE ON GARY HOWE ANNEXATION AGREEMENT

City Manager Dotson said this took some time to work out. The annexation is at the south end of Enoch on Hwy. 91. Originally Mr. Howe recorded a ten lot subdivision with the Iron County Recorder. That does not mean it is buildable. He did not do a process with the county and we will require him to go through our subdivision process. Some sticky parts are the road on the west side of the property. It is a prescriptive easement and not a dedicated road. To the layman it is a road but it goes over someone else's property. They have to provide access and build the road to standards and have to have utilities and easements to service that other property. The utilities are there now. The sticky part was the streets and the applicant improvements requiring him to install that before approval of the subdivision at his cost. Regarding streets in item 4 the applicant agrees to develop in such a manner as not to deny access to others. Basically this requires him to get the easements before he can do any more improvements. It can be annexed into Enoch and he knows the ramifications coming to him. The problem is his annexation creates an island to the east of him owned by Ben Ross which is a non-conforming lot in the county due to size. The county has tiers for density and the tier that area is in does not allow a small lot. We have to go to the County Commission according to State code to get their approval of this island issue. We are on the agenda for the County Commission next Monday. There was more discussion of the situation. Ben Ross does not want to annex in and the Howe annexation creates the island. City Manager Dotson will go to the County Commission meeting to get permission. City Manager Dotson noted this relates to infrastructure issues. Mayor Chesnut asked if it is timely for the City Council to approve this now. The approval with signatures binds us to this. If the County says no then there is no annexation. City Manager Dotson said that is in State code. This agreement indicates willingness to go forward with conditions. Mayor Chesnut the motion could say the approval of the agreement is subject to the County approval. The issue is he has to get the road easement before he develops the 50 foot road. Mayor Chesnut asked for motion. **Council Member Harris made a motion to approve the Howe annexation agreement contingent on County approval of the creation of an island. Council Member Owens seconded the motion and all voted in favor.** City Manager Dotson added the Howes do have the option to force Ben Ross in with their annexation but they don't want to do that.

9. ORDINANCE NO. 2017-06-07 AN ORDINANCE AMENDING THE ENOCH CITY ZONING ORDINANCE DEFINITION 71-DWELLING UNIT

Council Member Owens said this does not penalize or prohibit anyone for having more than one kitchen. The Planning Commission thinks this is a "no brainer" to not limit the rooms in a dwelling. **Council Member Johnson made a motion to approve Ordinance No. 2017-06-07, an ordinance amending the Enoch City Zoning Ordinance Definition 71- Dwelling Unit. Motion was seconded by Council Member Harris and a roll call vote was held as follows:**

**Council Member Johnson-yes
Council Member Stoor-yes
Council Member Owens-yes**

**Council Member Harris-yes
Council Member Lee-yes
Motion passed**

10. DISCUSS COOPERATIVE AGREEMENT REGARDING ANIMAL SHELTER

Mayor Chesnut said in the past we have had conversations with Cedar City and Iron County about making a combined animal shelter. There were about ten people in the past meeting and it ended up going nowhere because we and the County did not want to do it then. In a recent meeting when the County got together to talk about CIB projects for grants and loans the animal shelter was a top priority for everyone. They met with Gary Zabriskie who oversees CIB applications and he said they will look at two communities that are touching each other and think we should combine efforts. That initiated more conversation. Chief Ames, City Manager Dotson met with Cedar officials. Chief Ames said in the past we did not know what this combined effort would look like so we went separate ways. Cedar is now planning to build their shelter on Kitty Hawk and Bulldog Road. They will redesign the road and do infrastructure changes to accommodate it. Their budget is about 1.6 million for their shelter. Ours is about \$200,000 maybe. The idea of the meeting was trying to narrow it down to see what it would look like if we combined our shelters. It was noted the County Sheriff is in favor. Their shelter is six years old and is located very far away. Anytime we combine we take our philosophies, procedures and policies and try to mesh that together. We did not get to the "nitty gritty" but this was a preliminary start. They want to know if we are interested or not.

There was more discussion of the many issues that would be involved. City Manager Dotson said there are the supervisory questions of who would run it; policy and how do to deal with issues that may come us. Our policies are an extension of our culture and how we treat our employees and they are different. They said we will figure it out. They think our cultural concerns can be alleviated. They were more optimistic than we are. We have saved and put money aside, secured property and are ready to break ground including our commitment to the dog park. Then this proposal hits us. They got property too and got an architect and applied for CIB funds. They are spending much more than we are. Mayor Chesnut said in talking with Mayor Wilson, Paul Bitteman and City Manager Dotson he said we are the junior partner in a cooperative agreement and we may not have much of a say. It may not be fiscally beneficial to play along. What kind of relationship does our opinion have in a dispute? No dollar figure is known now. If we commit and the agreement is we use our funds to offset their loan, our funds and our ability to do what we want if we are not satisfied could be an issue. That is the Mayor Chesnut's concern.

Council Member Stoor asked about the pros and cons. City Manager Dotson passed out a list of them. There was more discussion of "what ifs". Council Member Lee asked if we are happy with our current plan. It was noted we are. The Cedar shelter is seven miles away vs. one mile away for ours now. Distance could make a difference in animal pick up. They discussed staffing and costs. They think this will save money but we can't see how for us. Our budget \$115,000 per year for everything Chief Ames said. City Manager Dotson said if we went with the numbers we have now with half loan and grant split between three entities we would have to borrow more money to do this. We would go into debt to participate. Council Member Stoor said he hears more cons than pros. Council Member Johnson said be fiscally smart. This presumes the County comes into this. City Manager Dotson said we are participating with our neighboring City and maybe there is more we can work on like water issues we have with Cedar City.

Council Member Harris suggested we continue the discussion and get the details and decide when we get full knowledge of all the contingencies. The financial side has to benefit us financially. Mayor Chesnut said the discussion today was positive but we said we are willing to go our own way if this does not benefit us. Then the water discussion was revisited positively. City Manager Dotson said one challenge is affecting the dog park. Mayor Chesnut said if we go from our current plans then that impacts commitments we have made to others. There are more than fiscal costs. Reciprocity is important in the discussion. Council Member Harris said we have a water line planned for there and we are waiting for the approvals. Either way we need it and we are ready to excavate City Manager Dotson said. Mayor Chesnut said he wanted to be sure the

City Council was informed of this. Cedar City wanted us to vote on it tonight. Council Member Stoor said he would vote against it. Mayor Chesnut said he conveyed that we are ready to break ground. We don't want them to sit and wait for us to figure it out. Council Member Owens said we are far ahead of them on this. They are a year out from building. Council Member Harris said we should set a time limit like three months then we move ahead. We have commitments and are overdue already. Council Member Lee said she does not think the current facility can last another winter. If the consensus is to keep discussing this then they will. The CIB grant makes it more enticing for a collaborative effort. We will continue the discussion to be sure it is in our interest and report back.

11. DISCUSS AND VOTE ON SOUTH CENTRAL COMMUNICATIONS AGREEMENT

City Manager Dotson said this is the easement agreement over by South Central's hub east of the animal shelter. It is a little building where their satellite is located. They need to bring power to it and this is the agreement for that utility easement. Our attorney has reviewed it. Mayor Chesnut asked for a motion to approve the agreement as written. **Council Member Harris made a motion to approve the South Central Communications agreement as written. Motion was seconded by Council Member Stoor and all voted in favor.**

12. PUBLIC COMMENTS-Mayor Chesnut invited public comments.

Dilworth Armstrong said with discussion on the animal shelter he issues a challenge to dot every "i" and cross every "t" because Cedar has cleaned house in Enoch for 70 years. Dealing with Cedar in business dealing we need to be super careful. They pull everything they can under the table to get their way. He can see the writing on the wall. Be very cautious.

13. COUNCIL/STAFF REPORT

Earl Gibson we are going into irrigation season and we are border line on water like last year. Over the last week one well was shut off and the others are running 24 hours to keep up until we get the new well done. Water is tight and we may have to resort to requiring "odd and even" days for residents. He said he called to check on the water samples we were required to send in and one sample is for VOC's. No company in Utah tests for that so it had to be sent out of state with a seven week turn around. It has been gone about four weeks now so we have three weeks to wait for approvals at least. City Manager Dotson said we have ordered some equipment but won't install it until approval comes. We hope for the end of July for the well to be online. Earl said the parks look dry because they are keeping watering down.

Chief Ames said they are busy. People are out later at night and tend to get into mischief. The officers are getting certifications and training. He is sending Josh to "pot tech" school to learn to test for it. We have seized a lot of drugs lately. In July Anders goes to defensive tactics training. He is driving our unmarked truck because the technician who changed the oil forgot to put oil back in the truck and it blew the engine. They will get new engine soon covered by the garage. Council Member Lee asked about the brush fire on Maple Lane. It was someone burning and embers remained and started the fire again when the wind came up.

Todd Sheeran, City Attorney said Gary Kuhlmann will be gone for the next three weeks but he can be contacted if necessary.

Ashley Horton said since we opened the current budget she has been working on adjustments. We have to display the budget for the public for ten days. In the general fund we have about \$31,000 we need to add for salaries and wages. We came up short because some employees left and we had to pay out earned vacation so we ended up over budget. There are a few smaller items like the PD went over budget on the Easter Egg Hunt. Some items not used but budgeted can go back into the general fund. She gave more details of transfers within departments that are needed to

balance. The adjustments are less than \$10,000, Mayor Chesnut said. City Manager Dotson said at the next meeting we close budget and pass the resolution which gives authority to Ashley to make minor adjustments up to the end of the year as invoices come in.

Julie Watson reported on candidate filing saying Mayor Chesnut and Council Member Lee filed as did Katherine Ross. No one else filed. Since we have the seats filled that we needed there will be no need for an election and it will be canceled after September 8th per State law.

Mayor Chesnut said the ICCC meeting was held today. He is happy about how the discussion went and the cooperation we are seeing.

Council Member Stoor said he missed the last Tree Committee meeting Chairman Katherine Ross said they are done with the wood chips and have more than was needed. He said he would like to recognize some citizens in our community who do good things. One guy cuts weeds all over. City Manager Dotson said when he sees things like that he writes a thank you letter.

Council Member Harris said he was absent from the last Planning Commission meeting however we took care of the two items that came forward tonight including reappointments.

Council Member Lee said she thinks the new Enoch Office sign looks really good with the blue letters. It was noted Andy Funderburk did that. The Water Board meeting is tomorrow to present a spread sheet prepared by Dan Jessen on the groundwater management plan. He set it up so the parameters for groundwater can be adjusted as things happen or change. It was designed to present information in a format that all can understand. The intent was to help us in Enoch but it will help all in the County working on the groundwater management plan.

Council Member Owens said the EDC is doing some housekeeping as two members have moved away. We need two more and are postponing the meeting to next month. City Manager Dotson put together responses from the survey sent out with the utility bills. We got a good response from residents.

16. ADJOURN-Council Member Harris made a motion to adjourn. Motion was seconded by Council Member Owens and all voted in favor. The meeting ended at 7:52pm.

 6-7-17
Julie Watson, Recorder Date